

### **Remarks**

This is in response to the non-final Office Action mailed May 21, 2004. Claims 8, 9, 31, 32, 41, 42, 54, 55, 63, and 64 have been canceled without prejudice or disclaimer. Claims 1, 19, 27, 34, 48, and 56 have been amended. No new matter has been added. Claims 1-6, 10-29, 33-39, 43-52, 56-61, and 65-68 remain pending in the application. Reconsideration and allowance are respectfully requested in view of the following remarks.

#### **I. Preliminary Comments Regarding Disclosure of Ishizuka**

Applicants respectfully suggest that Ishizuka et al., U.S. Patent No. 5,313,635, fails to disclose or suggest the generation of machine-executable code. Instead, Ishizuka simply discloses generation of an object file. Applicants do not concede that the object file disclosed by Ishizuka is machine-executable code as recited in the pending claims.

#### **II. Claim Rejections - 35 U.S.C. § 103**

In Section 3 of the Office Action, claims 1-6, 8-29, 31-39, 41-52, 54-61, and 63-68 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Ishizuka in view of Woolsey et al., U.S. Patent No. 6,029,000. This rejection is respectfully traversed, and the correctness of the rejection is not conceded.

Claim 1 recites detecting whether first and second subsystems are connected via a secure link to determine if the second subsystem is a trusted source using a receipt policy. A receipt policy is used to define which machine-executable code a particular subsystem will accept. A receipt policy can be defined for each subsystem. For example, the receipt policy can be defined to require a secure link between subsystems. Application, p. 8, l. 14 - p. 9, l. 8.

The rejection concedes that Ishizuka fails to disclose or suggest detecting whether the second subsystem is a trusted source. Action, p. 4, ll. 1 and 2. Ishizuka also fails to suggest a secure link and a receipt policy as recited in claim 1

Woolsey discloses a system for downloading native code to a target processor. Woolsey states that the native code can be digitally signed and encrypted prior to transmission, and that the target processor can validate the signature and decrypt the code. Woolsey, col. 20, l. 50 - col. 21, l. 17; and Figure 6.

Instead, Woolsey simply discloses using digital signatures and encrypted native code for security. Woolsey fails to disclose or suggest that it would be desirable to establish a secure link to transmit the code to the target processor.

In addition, Woolsey fails to disclose or suggest determining if the second subsystem is a trusted source using a receipt policy. Woolsey discloses determining if the source is trusted using a digital signature. However, Woolsey fails to disclose or suggest defining a receipt policy that can be used to determine if a subsystem is a trusted source, as recited by claim 1.

Therefore, claim 1, as well as claims 2-6 and 10-18 that depend therefrom, is allowable for at least these reasons.

Independent claims 19, 27, 34, 48, and 56 have been amended to incorporate subject matter similar to that added to claim 1. Therefore, claims 19, 27, 34, 48, and 56, as well as claims 20-26, 28, 29, 33, 35-39, 43-47, 49-52, 57-61, and 65-68 that depend respectively therefrom, are allowable for at least similar reasons to those provided above for claim 1.

Reconsideration and allowance of claims 1-6, 10-29, 33-39, 43-52, 56-61, and 65-68 are respectfully requested.

### **III. Conclusion**

The remarks set forth above provide certain arguments in support of the patentability of the pending claims. There may be other reasons that the pending claims are patentably distinct over the cited references, and the right to raise any such other reasons or arguments in the future is expressly reserved.

In view of the above, it is submitted that all claims are in condition for allowance. Favorable reconsideration in the form of a Notice of Allowance is requested. If the Examiner believes a telephone conference would advance the prosecution of this application, the Examiner is invited to telephone the undersigned at the below-listed telephone number.

Respectfully submitted,  
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